REMARKS

Claims 1-2, 9 and 20-22 are pending. Claims 1 and 9 are independent.

The Board of Patent Appeals and Interferences rejected Claims 1-3, 7-11 and 17-22 stand rejected under 35 USC 102(e) as being anticipated by Uehara (USPPA no. 2002/0056095). Independent claims 1 and 9 have been amended to recite the limitations of: "receiving a first program record representing a first program, wherein the first program record includes at least one key field, each key field including two or more partitions with each partition having a feature value assigned thereto; retrieving a plurality of program records from a database; converting each key field of the first program record into a feature value; determining a distance of each feature value of the first program record to each partition of a corresponding key field; identifying a second program record of the plurality of program records that qualifies as a nearest neighbor of the first program record as a function of the distance of each feature value of the first program record to each partition of a corresponding to the key field; and determining, based on the identified second program record, whether to recommend said first program." Dependent claim 2 has also been amended. No new matter has been added. Support for these amendments and claim 2 can be found, at least, on page 7, lines 1-9; page 8 lines 1-25.

The present invention provides a method and system, for determining whether to recommend a program. A first program record (PR1) is received that corresponds to a first program. The program record includes at least one key field. Table 1 shows various possible key fields. According to the invention, at least one of those key fields is partitioned. The description gives details for an example wherein key field $air_time is partitioned in Morning, Afternoon,

Evening and Night. Key field $station_sign is in that example partitioned in ten options. The key field of PR1 is then assigned a feature value, i.e. it is assigned to one of the partitions. For example, if the key field indicates that the $air_time is somewhere in the evening it is assigned the value for the Evening partition. A distance of the feature value of the first program record (PR1) to each partition of the corresponding key field is determined. In the example of table 4, for PR1 the feature value for $air_time is Evening and the distance of Evening to the four partitions (Morning, Afternoon, Evening and Night) for this key field is determined. This may be based on the viewing history in database 36 and summarized in table 3, Next, of the program records in database 36 a nearest neighbor of the first program record (PR1) is determined, based on the determined distance of each feature value of the first program record (PR1) to each partition of the corresponding key field. For example, table 7 shows that Program record 2 (PR2) in the database has an $air_time partition value of Morning. Based on table 4 the distance of this partition to 'Evening' of PR1 is 0.56. For feature $station_sign also a distance is determined (for PR2 this gives 0.37). Table 4 shows then a total distance score of 0.92 for PR2. Of all programs (PR1 to PI3 in the example of table 7) in the database, PR9 has the lowest score, i.e. is nearest to PR1. By now looking at PR9, the system can decide whether or not to recommend PR1. For example, if PR9 is not popular then PR1 is not recommended. If PR9 is popular, then PR1 is recommended.

Applicants can find nothing in Uehara that discloses or teaches “wherein the first program record includes at least *one key field, each key field including two or more partitions with each partition having a feature value assigned thereto*; … *determining a distance of each feature value of the first program record to each partition of a corresponding key field;*

identifying a second program record of the plurality of program records that qualifies as a nearest neighbor of the first program record as a function of the distance of each feature value of the first program record to each partition of a corresponding to the key field; .... Applicant submits that independent claim 1 is patentable over Uehara. Independent Claim 9 recites similar limitations. Thus, claim 9 is urged as patentable over the prior art for the same reasons as is claim 1.

The other claims in this Application are each dependent from one or another of the independent claims discussed above, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

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Date: June 10, 2011

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